

**December 28, 2006 Minutes of  
Bigfork Land Use Advisory Committee**

Members present: Phil Hanson, Clarice Ryan, Darrel Coverdell, Mary Jo Naïve, Shelley Gonzales

Vice-Chairman Hanson called the meeting to order at 4:01 PM, and called for adoption of the agenda. Agenda was approved.

Minutes of the December 13, 2006 workshop meeting were approved.

**SECRETARY'S REPORT:**

1. The application for Norskog variance is scheduled with the Board of Adjustment on January 2, 2007.
2. The Commissioner's Review Schedule for the Flathead County Growth Policy was discussed and copies supplied to members.

**APPLICATIONS:**

- A. Dancing Fox LLC was postponed until January or February.

**OLD BUSINESS:**

A. **Rocky Mountain Recreation Communities, LLC:** Approved.

B. **Bylaw change** approved by all seven BLUAC members at the December 1, 2006, special meeting was ratified by a unanimous vote. Change: Page 1, MEMBERSHIP clarified to read: Any Committee member who misses 3 consecutive **regularly scheduled monthly** meetings, or a total of 5 **regularly scheduled monthly** meetings in a calendar year, shall vacate the position and not be eligible to re-apply for one year. (MCA 7-3-43.22).

A copy of the amended Bylaws will be sent to Jonathan Smith and Jeff Harris.

C. **Status for appeals process.** Jeff Harris did not reply to the email regarding appeals. Craig Wagner noted an Appeals Process is covered in the current Flathead County Zoning Regulations, Page 4 Section 2.04.010.

D. **Letter to Jeff Harris re Kevin Coats:** Clarice Ryan presented a draft letter to BLUAC members asking for further review of the Kevin Coats Application. Committee members discussed the letter.

**Shelley Gonzales:** Asked how the stipulation that the property would be used as unassisted living would be monitored. Answer: Kevin Coats replied that the owner would monitor use.

**Clarice Ryan:** Had contacted the Planning Office and asked if there were a zone change or conditional use where such a use would fit. She was informed the zoning regulations do not address specifically unassisted living. Suggested changes from SAG 10 would be RA1 or B3, or possible R-4-5 (which addresses duplexes). The procedure would be to ask for a zone change and follow with a conditional use application. The county will not process zone changes until after the county growth plan has been approved.

**Elna Darrow:** Noted that the golf course in Evergreen had some problems enforcing the 55 and older requirements for living in the subdivision. It may be a problem of discrimination for Coats to limit use of the residences by age.

**Kevin Coats:** Does not believe the residences need be limited to an age group. The property will be developed to accommodate unassisted living for individuals with disabilities of any age.

**Phil Hanson:** Suggested tabling the letter and any presentation by Coats until the January regular meeting.

**Shelley Gonzales:** Suggested changing the wording in the letter to correct reference to age, example "advanced years".

**Clarice Ryan:** Asked BLUAC members to submit suggestions and improvements on the letter before approval. Members were asked to study the letter and get comments to Clarice before the January meeting.

## **NEW BUSINESS:**

None

## **ANNOUNCEMENTS:**

1. **BLUAC Elections:** Two seats will be elected in May 2007. The terms of Mary Jo Naïve and Clarice Ryan expire. The qualifications for election are “members must be registered voters within the jurisdiction a minimum of two years.” Candidates must file a Petition of Nomination signed by at least five electors of the district, An Affidavit of person circulating the petition and an Oath of Candidacy. Forms may be obtained at the Flathead County Election Office, 800 S. Main, Kalispell, MT (758-5535) or contact Secretary Hanson (837-5323 or [btrfly@montanasky.net](mailto:btrfly@montanasky.net)) to receive email copies of the forms. **Start of filing is December 26, 2006. Deadline for filing is February 22, 2007.**

2. **BNP Draft:** Shelley Gonzales informed the members that all of the workshop changes had been made to the draft. Still to be completed is some formatting, additional maps and completion of the section on Implementation.

Discussion centered on whether to complete public meetings and submit the draft, or wait until the county has approved their growth plan to submit the BNP draft. There is some question whether the BNP draft may need some changes to comply with the county plan. It was generally agreed to complete the BNP draft and post on the website, with a copy at the UPS store. When the county has an approved growth plan, and necessary changes can be made, the BNP draft will then go through the public meeting process and submission to the county.

In the meantime, BLUAC will inform the public through the media that the draft is available for review and note that some changes may be necessary for compliance with the county growth plan.

Meeting was adjourned at 4:45 PM

Sue Hanson  
BLUAC Secretary